

**United States District Court
Southern District of New York**

In re Terrorist Attacks on September 11, 2001

**03 MDL 1570 (RCC)
ECF Case**

This documents relates to:

Kathleen Ashton v. Al Qaeda Islamic Army, 02-CV-6977 (RCC)
Ernesto Barrera v. Al Qaeda Islamic Army, 03-CV-7036 (RCC)
Thomas E. Burnett, Sr. v. Al Baraka Inv. & Dev. Corp., 03-CV-5738 (RCC)
Thomas E. Burnett, Sr. v. Al Baraka Inv. & Dev. Corp., 03-CV-9849 (RCC)
Cantor Fitzgerald v. Akida Bank Private Limited, 04-CV-7065 (RCC)
Continental Cas. Co. v. Al Qaeda, 04-CV-5970 (RCC)
Euro Brokers Inc. v. Al Baraka Inv. & Dev. Corp., 04-CV-7279 (RCC)
Federal Ins. v. Al Qaida, 03-CV-6978 (RCC)
New York Marine & General Ins. Co. v. Al Qaida, 04-CV-6105 (RCC)
Estate of John P. O'Neill, Sr. v. Al Baraka Inv. & Dev. Corp., 04-CV-1923 (RCC)
Gladys H. Salvo v. Al Qaeda Islamic Army, 03-CV-5071 (RCC)
Walter Tremsky v. Osama bin Laden, 02-CV-7300 (RCC)
World Trade Ctr. Props. L.L.C. v. Al Baraka Inv. & Dev. Corp., 04-CV-7280 (RCC)

NOTICE OF MOTION TO DISMISS SULAIMAN AL RAJHI

PLEASE TAKE NOTICE that, pursuant Federal Rule of Civil Procedure 12 and upon the accompanying Memorandum of Law in Support of Motion to Dismiss Sulaiman Al Rajhi and upon the prior pleadings and proceedings in this action, Defendant Sulaiman Al Rajhi, by and through undersigned counsel, hereby moves this Court for an order dismissing the claims against him in each of the complaints consolidated in the above-captioned multi-district litigation for (1) lack of personal jurisdiction (FED. R. CIV. P. 12(b)(2)) and (2) failure to state a claim upon which relief may be granted (FED. R. CIV. P. 12(b)(6)).

Dated: April 29, 2005

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ Thomas M. Melsheimer

Thomas M. Melsheimer (TM-4466)

(Admitted *pro hac vice*)

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**Attorneys for Defendant
SULAIMAN AL RAJHI**

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to this Court's Case Management Order No. 2, on April 29, 2005, I caused a true and correct copy of the foregoing NOTICE OF MOTION TO DISMISS SULAIMAN AL RAJHI to be served on the all counsel electronically by the Court's Electronic Case Filing (ECF) system.

Dated: April 29, 2005

/s/ Thomas M. Melsheimer

Thomas M. Melsheimer (TM-4466)
(Admitted *pro hac vice*)